STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr D Tatton
David Tatton Architect
4 Church Bank
Newcastle under Lyme
ST5 5AT

Mr K Humphries
Humphries Builders Ltd
Rockfield Farm
Under The Hill
Biddulph Moor
Staffordshire
ST8 7RR

Application no: SMD/2017/0470

Determined on: 11/12/2017

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015

GRANT OF OUTLINE PLANNING PERMISSION

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

Location of Development:
Coltslow Farm Stanley Moss Lane Stockton Brook Staffordshire ST9 9LH

Description of Development:
Variation of Conditions 04, 05 and 07 and non-material amendment to application description of planning permission ref. SMD/2014/0838 to allow for different access positions to the site and to remove reference to 'part demolition' and 'retained buildings' so that a reserved matters application can be made that includes demolition of the existing buildings and incorporates access positions that vary from the previously approved positions.

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANT OUTLINE PLANNING PERMISSION** for the works described above subject to the following condition(s):

Reserved Matters

1. Details of appearance, landscaping, layout, and scale, (hereinafter called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
   Reason:- The application is an outline application under the provisions of the Town and Country Planning (General Development Procedure)England Order 2015 and no particulars have been submitted with respect to the matters reserved in this permission (excepting access).

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

2. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of planning permission ref. SMD/2014/0838 dated 12th May 2016. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
   Reason:- The application is an outline application under the provisions of the Town and Country Planning (General Development Procedure) England Order 2015 and no particulars have been submitted with respect to the matters reserved in this permission (excepting access).

Development Parameters

3. No more than ten dwelling houses shall be provided on the site.
   Reason:- For the avoidance of doubt and in the interests of proper planning.

4. The combined volume of the proposed residential properties shall not exceed 10,257 cubic metres.
   Reason:- For the avoidance of doubt and in the interests of proper planning.

Access/Parking

5. Notwithstanding any details shown on the approved plans, no development shall be commenced until revised access details indicating the relocation of the existing gully within the proposed site access to a point just outside of the proposed site access with a connection to the surface water drainage network has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied unless and until the vehicular accesses to the site from the highway has been completed, including the connection to the surface water drainage network and removal of the redundant gulley pot.
   Reason:- In the interests of highway safety.

6. No dwelling shall be occupied until the visibility splays to both accesses as shown on plan ref. no 113-03C have been provided for all direct accesses onto Stanley Moss Lane. The visibility splays shall thereafter be kept free of all obstructions to a visibility over a height of 900mm above the adjacent carriageway level.
   Reason:- In the interests of highway safety.

7. No dwelling shall be occupied until the existing site accesses (including the access crossing between the site and carriageway edge), which are made redundant as a consequence of the development hereby permitted have been permanently closed and the access crossings reinstated as verge in accordance with the approved drawings.
   Reason:- In the interests of highway safety.

8. No wall, hedge, fence or vegetation that exceeds a maximum height of 0.6 metres above the adjacent carriageway level shall be placed on any plot frontage within 2.0 metres of the carriageway edge.
   Reason:- In the interests of highway safety.

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

9. No dwelling hereby permitted shall be occupied until associated parking, turning and servicing space has been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. Once provided, the spaces shall be retained thereafter and shall be used for no other purpose.
   Reason:- In the interests of highway safety.

Sustainable Drainage

10. No development shall take place, including works of demolition and site clearance, until details of a sustainable surface water drainage scheme, based on an assessment of the hydrological and hydrogeological context of the development site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details and timetable. The scheme to be submitted shall:

    - demonstrate the ability for on-site accommodation of surface water run-off up to the critical 1 in 100 year event plus 30% allowance for climate change, based upon the submission of drainage calculations;
    - provide information about the design storm period and intensity, and the method employed to delay and limit surface water discharged from the site to greenfield run-off rates;
    - demonstrate measures taken to prevent pollution of the receiving groundwater and/or surface waters, including measures to attenuate any discharges into the Stanley Feeder Channel to appropriate rates, together with details of the installation of interceptors to minimise the risk of contaminated surface water run-off entering the Stanley Feeder Channel;
    - include a timetable for implementation of the scheme; and,
    - provide a management and maintenance plan for the scheme, for the lifetime of the development, which shall include the arrangements for adoption of the scheme by any public authority or statutory undertaker, and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason:- In the interests of achieving sustainable surface water and preventing potential flood issues.

Construction Management Plan

11. The development hereby permitted shall not begin (including any works of demolition and site clearance) until such time as a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CMP shall be implemented in accordance with the approved details throughout the construction period. The CMP shall include, but is not restricted to:
    - site management arrangements, including on-site storage of materials, plant and machinery; on-site parking and turning provision for site operatives, visitors and construction vehicles; and provision for the loading/unloading of plant and materials within the site;

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

- wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the site does not carry mud or deposit other materials onto the public highway, and,
- details of measures to minimise construction waste and to maximise recovery and recycling.

Reason:- In the interests of highway safety.

Ecology/Trees

12. No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the development and has previously been approved as part of the details to be submitted pursuant to Condition 01 of the outline permission ref. SMD/2014/0838 of the approved outline permission.
    Reason:- In the interests of nature conservation.

13. No development (including any works of demolition and site clearance, and removal of trees, shrubs and hedgerows approved pursuant to condition 12 above) shall begin during the bird nesting season (1 March – 31 August inclusive) unless a survey has been undertaken, by a suitably qualified ecological consultant, to assess whether any affected buildings, trees, shrubs or hedgerow are not in active use by nesting birds, details which shall be submitted to and approved in writing by the Local Planning Authority. If nested birds are located, work shall cease on that part of the site until nesting is completed and fledged young have departed the site.
    Reason:- In the interests of nature conservation.

14. Before development begins (including any works of demolition and site clearance) temporary protective fencing and advisory notices for the protection of the existing trees to be retained, shall be erected in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations. Such measures shall be retained in position for the duration of the construction period. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires.
    Reason:- In the interests of tree protection.

15. Development shall not begin (including any works of demolition and site clearance) until such time as an Ecological Management Plan (EcMP) including a timetable for its implementation, has been submitted to and approved in writing by the Local Planning Authority. The approved EcMP shall be implemented in full in accordance with the approved timetable. The EcMP shall include, but is not restricted to:

    - hours during which works of construction (including works of demolition and site clearance) can take place;
    - all aspects of habitat creation and ongoing management, including avoidance, mitigation and compensation measures to address potential impacts on legally protected species;

- a scheme for the erection of 'wildlife fencing' around the proposed development boundary during the construction period;
- a scheme to manage appropriately Indian Balsam during pre-construction, construction and post-construction periods in order to prevent its spread;
- no plastic sheeting or mesh shall be used on any scaffolding erection during the construction period, in order to prevent potential snaring and entanglement of volant bats in the surrounding landscape;
- best practice with regard to mammals shall be followed for the duration of works, with any footings/holes to be covered at night, or a suitable method of escape provided;
- the provision of a buffer zone of at least 10.0 metres in width alongside the adjacent watercourse, in order to reduce potential impact on aquatic/riparian species including otter and water vole. No waste materials or contaminates shall be deposited within the buffer zone. No heavy machinery is to be used within the buffer zone. Any works that may affect the buffer zone /river corridor should be carried out under ecological supervision. If any evidence of otter or water vole is found during works, then all works shall cease and a suitably qualified ecologist shall be consulted to advise on how best to proceed;
- details of methods to be employed during all construction works, including earthworks, to limit silt mobilisation into and pollution of nearby water channels, and storm water run-off, in accordance with the Environment Agency guidelines: EAPPG5 measures to be employed during construction (including works of demolition and site clearance) for any on-site storage of chemical and/or fuel storage; for on-site re-fuelling of machinery and vehicles; and for dealing with fuel spillage incidents; and,
- measures to minimise dust emissions during the construction process (including works of demolition and site clearance).

Reason:- In the interests of nature conservation.

16. Development shall not begin until details of a wildlife sensitive lighting scheme for any external areas to be illuminated (to be informed by an assessment of areas on the site that are particularly sensitive in terms of wildlife interest) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out only in accordance with the approved details.
Reason:- In the interests of nature conservation.

Contamination

17. Other than as may be required by an approved scheme of remediation, no development shall take place (including works of demolition and site clearance/preparation) until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site, has been submitted to and approved in writing by the Local Planning Authority, and has been implemented in accordance with the approved details:

    a) A preliminary risk assessment which has identified:

        i) all previous uses;
        ii) potential contaminants associated with those uses;

iii) a conceptual model of the site, indicating sources, pathways and receptors; and,
iv) potentially unacceptable risks arising from site contamination.

b) A site investigation scheme based on (a) above, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

c) The results of the site investigation and the detailed risk assessment referred to in (b) above and, based on those, an options appraisal and remediation strategy giving full details of any remediation measures required and how they are to be undertaken. The approved remediation strategy must be carried out in accordance with its terms prior to the commencement of development.

d) Following completion of the measures in the approved remediation scheme, a validation report that demonstrates completion of the remediation strategy referred to in (c) above is complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

18. No top soil or fill material is to be imported onto the site unless and until it has been tested for contamination and assessed for its suitability for the proposed development in accordance with a testing methodology that has previously been submitted to and approved in writing by the Local Planning Authority. The methodology shall include arrangements for the submission and approval of validation results.
Reasons (17 and 18):- To ensure that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

Informatives:

1. This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 187 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

2. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

3. A high standard of layout, design and landscaping will be required throughout the site at a reserved matters stage.

4. *Highways Officer*: The submitted illustrated internal layout plan is purely indicative, accordingly the internal layout and access to individual plots has not been assessed in detail and will be considered fully at reserved matters stage. The indicative layout does not appear adoptable. The detailed layout to be submitted at reserved matters stage should benefit from the following: the use of shared surface streets in accordance with the principles outlined in Manual for Streets, drainage to SUDS principles, good internal and

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

external pedestrian connectivity, parking provision to comply with Local plan standards and be of sufficient geometry for example a width of 3.0m if hard up against a boundary to aid vehicle manoeuvring and a swept path analysis to cater for a 12.0m long refuse vehicle.

X

Signed by: Jane Colley

On behalf of Staffordshire Moorlands District Council

STAFFORDSHIRE moorlands DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section at buildingcontrol@staffsmoorlands.gov.uk

2. Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority at Staffordshire County Council.

3. This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. An application will need to be made to discharge conditions and a fee is payable with the application. For more details please refer to our web site: www.staffsmoorlands.gov.uk If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:
   (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
   (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

4. Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.

5. The permission is granted in strict accordance with the approved plans. It should be noted however that:
   (a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
   (b) Variation to the approved plans will require the submission of a new planning application.

6. If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

7. If the decision to refuse planning permission is for a householder application, and you want to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice.

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

8. If this is a decision to refuse planning permission for a minor commercial application, and you want to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice.

9. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your Local Planning Authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

10. If you want to appeal against your Local Planning Authority's decision for any other type of development, including listed building consents then you must do so within 6 months of the date of this notice Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://acp.planninginspectorate.gov.uk

11. The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

12. If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.